

# Problematic Practices

**The list below was compiled from a list of practices that were found to be compliant but have the potential to be problematic in the 2013-2014 Special Education Compliance Monitoring Reports and has been created to assist districts in preparing for compliance monitoring visits.**

“During the compliance monitoring visit, the team found evidence of a form labeled “Referral for Special Needs Assessment Medical Information.” The form also included a box to document “School nurse should be notified of student referral team meeting” or “School nurse does not feel it is necessary to attend team meeting.” Whereas, this form is outside of the special education process, it is recommended that this form be discontinued or that a procedure be approved as to the intent of the form and when it will be used.”

“During the compliance monitoring visit, the team found evidence of a process labeled simple functional behavior assessment. 34 CFR 300.530 Authority of school personnel outlines the functional behavior assessment. Whereas, there is no provision in IDEA for a simple functional behavior assessment, it is recommended that this practice be discontinued or that a procedure be approved as to the intent of the procedure and when it will be implemented.”

“During the compliance monitoring visit, the team found evidence that the parent consent form to evaluate did not state what type of evaluation the parent was giving permission for. 34 CFR 300.304(a) states that notice must be given which describes any evaluation procedures the district proposes to conduct. Develop a district practice of describing the proposed evaluation procedures.”

“When reviewing written prior notices, multiple actions were included on one form. Reviewers could not clearly distinguish the required components of the written prior notice for each action. Develop a district practice to complete a separate written prior notice for each action or clearly enumerate the components for each action on one form (Determination of Eligibility, IEP, and Placement).”

“Upon review of documents, the role and area of certification of team member participants was not clear. When signing in at IEP Team meetings, include the participants’ role(s) and area(s) of certification.”

“When reviewing the Record of Access, there was no indication of the authorized personnel for student files. Clearly post the list of authorized personnel with student files.”

“When reviewing determination of eligibility for students with specific learning disabilities, summary reports did not typically include the classroom observation and vision and hearing assessments. Within the evaluation team summary, along with the academic performance and intelligence assessments, include the classroom observation, vision assessment, and hearing assessment for the determination of eligibility for specific learning disabilities.”

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